



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of.:	§	
	§	
Solange AKSELROD et al	§	
	§	
Serial No.: 10/528,456	§	
	§	
Filed: March 18, 2005	§	Group Art Unit: 3762
	§	
For: METHOD, APPARATUS AND	§	
SYSTEM FOR	§	
CHARACTERIZING SLEEP	§	
	§	
Examiner: George C Manuel	§	Attorney Docket: 29429
	§	

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

Sir:

This is in response to the United States Patent and Trademark Office Action mailed October 2, 2008, which response is being made on or before December 2, 2008, and for which a one month extension of time fee is due and enclosed herewith.

RESPONSE TO RESTRICTION REQUIREMENT

In Response to the restriction requirement Applicants hereby elect Group I, claims 1-126 drawn to sleep methods.

REMARKS

The present Office Action restricts the claims into two different groups. Applicants elect Group I (claims 1-126) with traverse. Restriction is only proper when there is a serious search burden on the Examiner and the inventions are independent. MPEP § 803 (I) describes the criteria for restricting between patentably distinct inventions. For example, the MPEP states that: